

GOYETTE, RUANO & THOMPSON

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HENRY JAMES TAYLOR

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

WESLEY CORBERA, as executor of the estate of
Harrison Carmel Breedlove, Deceased,

Plaintiff,

vs.

HENRY JAMES TAYLOR, and DOES 1-10,

Defendants.

Case No. 2:21-CV-1998-WBS-KJN

**STIPULATION TO LIMITED STAY OF
DISCOVERY AND ORDER**

Plaintiff Wesley Corbera and Defendant Henry James Taylor (hereafter the "PARTIES"), through their respective attorneys, hereby stipulate and respectfully request that the Court order a limited stay of discovery in this matter, such that no discovery may be propounded by Plaintiff upon Defendant Henry James Taylor (hereafter "TAYLOR") until the earlier of six months from the date this stipulation is so ordered by the Court, or such time as TAYLOR no longer faces the risk of criminal prosecution arising out of the motor vehicle accident that resulted in the death of Harrison Breedlove.

The Parties are requesting this limited stay because TAYLOR is the defendant in a related

1 criminal case in Shasta County Superior Court, *People v. Taylor*, CR-2020-0007377-002, that is
2 currently pending and set for trial on January 19, 2022. This civil case is based on the same incident
3 and facts as the pending criminal case, and therefore TAYLOR risks self-incrimination if he is
4 compelled to respond to any discovery requests, or make initial disclosures. Accordingly, any
5 response by TAYLOR in any form of discovery in this civil case would inevitably involve divulging
6 material facts or constitutionally protected information related to the issues in the criminal case.

7 The Court has broad discretionary power to stay the proceeding, including discovery, in the
8 interests of justice and securing the optimal and efficient resolution of controversies. *Landis v. North*
9 *American Co.*, 299 U.S. 248 (1936); see also *Keating v. Officer of Thrift Supervision*, 45 F.3d 322,
10 324 (9th Cir. 1995). Both Plaintiff's and Defendant's interests are served by the issuance of a
11 temporary and limited stay of discovery as set forth above.

12 For all of these reasons, the PARTIES jointly request that the Court stay discovery directed by
13 Plaintiff to TAYLOR, and relieve TAYLOR of the obligation to make initial disclosures pursuant to
14 Rule 26(a)(1) of the Federal Rules of Civil Procedure, until the earlier of six months from the date
15 this stipulation is so ordered by the Court, or the time that TAYLOR no longer faces the risk of
16 criminal prosecution arising out of the motor vehicle accident that caused the death of Harrison
17 Breedlove. The PARTIES contemplate and agree that Plaintiff may direct discovery to third parties,
18 but TAYLOR and those third parties retain all rights to object to that discovery on any applicable
19 grounds.

20 It is expressly contemplated by the PARTIES that should TAYLOR's Fifth Amendment
21 concerns extend beyond the initial six-month period provided for in this stipulation, they will meet
22 and confer in good faith in an attempt to stipulate to appropriate continuing terms.

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2 IT IS FURTHER STIPULATED by and between the parties that this Stipulation may be signed
3 in counterparts and that facsimile or electronic signatures will be equally effective as original
4 signatures.

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6 Dated: December 21, 2021

GOYETTE, RUANO & THOMPSON, INC.

7 **A Professional Law Corporation**

8
9 By: /s/ Martin Ruano
Martin Ruano, Esq.
Caitlyn Andrijich, Esq.
10 Attorneys for Defendant TAYLOR

11
12 Dated: December 21, 2021


BRENT & FIOL, LLP

13
14 By: /s/ David Fiol
David Fiol, Esq.
15 Joseph Brent, Esq.
16 Attorneys for Plaintiff Wesley Corbera

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18 **IT IS SO ORDERED**

19 Discovery is stayed for a limited purpose pursuant to the stipulation of the parties. The
20 Scheduling Conference is continued from March 14, 2021 to **September 12, 2022 at 1:30 p.m.**

21 Dated: December 23, 2021

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23 WILLIAM B. SHUBB
24 UNITED STATES DISTRICT JUDGE
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